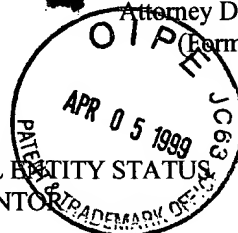


Applicant or Patentee: Daniel S. SIMPKINS et al.
Application or Patent No.: 09/207,745
Filed or Issued: December 8, 1998
For: HYBRID SWITCHING

Attorney Docket: 32172-143271
(Formerly SALIX 4607.01)

#3



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As the below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. § 1.9(c) for purposes of paying reduced fees under sections 41(a) and (b) of Title 35, United States Code, to the U.S. Patent and Trademark Office with regard to the invention entitled HYBRID SWITCHING described in

- ☐ the specification filed herewith
☒ Application No. 09/207,745, filed December 8, 1998
☐ Patent No. _____, issued _____

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization
☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. 37 C.F.R. § 1.27.

NAME SALIX Technologies, Inc.
ADDRESS 904 Wind River Lane, Suite 101, Gaithersburg, Maryland 20878
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any changes in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. § 1.28(b).

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Daniel S. SIMPKINS
NAME OF INVENTOR
Daniel S. Simpkins
SIGNATURE OF INVENTOR

Mar 29th 1999
DATE

Steve BRASS
NAME OF INVENTOR
Steve Brass
SIGNATURE OF INVENTOR

March 30th 1999
DATE

Joseph E. ANSTETT III
NAME OF INVENTOR
Joseph E. Anstett III
SIGNATURE OF INVENTOR

April 1, 1999
DATE

Applicant or Patentee: Daniel S. SIMPKINS et al.

Application or Patent No.: 09/207,745

Filed or Issued: December 8, 1998

For: HYBRID SWITCHING

Attorney Docket: 32172-143271

(Formerly SALIX 4607.01)

-Page 2-

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

Mark A. TURNER

NAME OF INVENTOR

Mark A. Turner

SIGNATURE OF INVENTOR

April 1, 1999

DATE

NAME OF INVENTOR

SIGNATURE OF INVENTOR

DATE

NAME OF INVENTOR

SIGNATURE OF INVENTOR

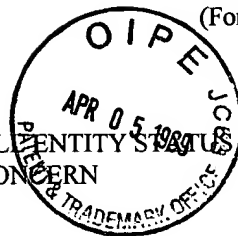
DATE

DC2#131069

Applicant or Patentee: Daniel S. SIMPKINS et al.
Application or Patent No.: 09/207,745
Filed or Issued: December 8, 1998
For: HYBRID SWITCHING

Attorney Docket: 32172-143271

(Formerly SALIX 4607.01)



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below;

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN SALIX Technologies, Inc.

ADDRESS OF CONCERN 904 Wind River Lane, Suite 101, Gaithersburg, Maryland 20878

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 12 C.F.R. §§ 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other, either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled HYBRID SWITCHING by inventor(s) Daniel S. SIMPKINS et al. described in

☐ the specification filed herewith

☒ Application No. 09/207,745, filed December 8, 1998

☐ Patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. § 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e). *NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. 37 C.F.R. § 1.27.

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. § 1.28(b).

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Daniel S. SIMPKINS

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING SALIX Technologies, Inc.

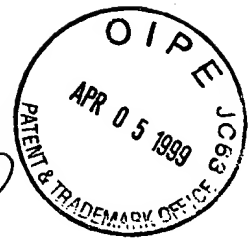
904 Wind River Lane, Suite 101

Gaithersburg, Maryland 20878

SIGNATURE *Daniel S. Simpkins*

DATE Mar 29, 1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



**NOTICE OF CHANGE OF DESIGNATED ADDRESS AND
ATTORNEY DOCKET NUMBER**

The Honorable Commissioner of
Patents and Trademarks
U.S. Patent and Trademark Office
Washington, D.C. 20231

Attorney Docket Number: 32172-143271
(Formerly SALIX 4607.01)

Re: U.S. Patent Application No. 09/207,745
HYBRID SWITCHING
Daniel S. SIMPKINS et al.

Sir:

To the extent the following is not already of record in the file of the above-identified application, please note changes in the firm name and mailing address, and telephone and telefax numbers of all counsel of record in the file:


VENABLE
Post Office Box 34385
Washington, D.C. 20043-9998

Telephone: 202/962-4800
Telefax : 202/962-8300

The foregoing applies to all attorneys of record and to the designated Domestic Representative if the above-identified matter involves a trademark application or registration of a foreign applicant or registrant.

Please also note that the Attorney Docket Number has been changed to 32172-143271. It is respectfully requested that the Office's filewrapper and appropriate databases be updated.

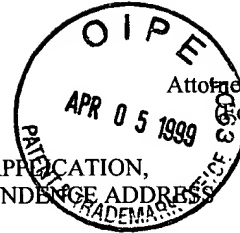
Respectfully submitted,


Michael A. Sartori, Ph.D.
Registration No. 41,289

Dated: April 5, 1999

MAS/mt
DC2-132902

#3



DECLARATION FOR UNITED STATES PATENT APPLICATION,
POWER OF ATTORNEY, DESIGNATION OF CORRESPONDENCE ADDRESS

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled HYBRID SWITCHING, the specification of which

☐ is attached hereto.

☒ was filed on December 8, 1998 as Application No. 09/207,745 and was amended on _____ [if applicable].

☐ was filed under the Patent Cooperation Treaty on _____, as Application No. _____, the United States of America being designated.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States Provisional Application listed below: United States Provisional Application No. _____, filed _____

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, utility model, design or inventor's certificate listed below and have also identified below any foreign application(s) for patent, utility model, design or inventor's certificate having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Date Filed	Yes	No

I hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: George H. Spencer (Reg. No. 18,038), Robert J. Frank (Reg. No. 19,112), Norman N. Kunitz (Reg. No. 20,586), Gabor J. Kelemen (Reg. No. 21,016), John W. Schneller (Reg. No. 26,031), Marina V. Schneller (Reg. No. 26,032), Robert Kinberg (Reg. No. 26,924), Allen Wood (Reg. No. 28,134), Ashley J. Wells (Reg. No. 29,847), James R. Burdett (Reg. No. 31,594), Michael A. Gollin (Reg. No. 31,957), Catherine M. Voorhees (Reg. No. 33,074), G. Abe Zachariah (Reg. No. 38,366), Julie A. Petruzzelli (Reg. No. 40,769), Catherine A. Ferguson (Reg. No. 40,877), Lawrence J. Carroll (Reg. No. 40,940), Clint A. Gerdine (Reg. No. 41,035), Michael P. Leary (Reg. No. 41,144), Michael A. Sartori (Reg. No. 41,289), and Charles C. P. Rories (Reg. No. 43,381)) all at Suite 1000, 1201 New York Avenue, N.W., Washington, D.C. 20005-3917, Telephone: (202) 962-4800, Telefax: (202) 962-8300. Address all correspondence to VENABLE, Post Office Box 34385, Washington, D.C. 20043-9998.

The undersigned hereby authorizes the U.S. attorneys and agents named herein to accept and follow instructions from the undersigned's assignee, if any, and/or, if the undersigned is not a resident of the United States, the undersigned's domestic attorney, patent attorney or patent agent, as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorneys or agents named herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: Daniel S. Simpkins Date: Mar. 29th, 1999.
First Joint Inventor: Daniel S. SIMPKINS
Citizenship: United States of America
Residence and Post Office Address: 8403 Irvington Avenue
Bethesda, Maryland 20817

Signature: Steve Brass Date: March 30th, 1999.
Second Joint Inventor: Steve BRASS
Citizenship: United States Of America
Residence and Post Office Address: 14 Charles Street
Westboro, Massachusetts 01581

DECLARATION FOR UNITED STATES PATENT APPLICATION,
POWER OF ATTORNEY, DESIGNATION OF CORRESPONDENCE ADDRESS

Signature: Joseph E. Anstett III Date: April 1, 1999.
Third Joint Inventor: Joseph E. ANSTETT III
Citizenship: United States of America
Residence and Post Office Address: 218 Tulip Drive
Gaithersburg, Maryland 20877

Signature: Mark A. Turner Date: April 1, 1999.
Fourth Joint Inventor: Mark A. TURNER
Citizenship: United States of America
Residence and Post Office Address: 11324 Windsor Road
Ijamsville, Maryland 21754

Signature: _____ Date: _____, 1999.
Fifth Joint Inventor: _____
Citizenship: _____
Residence and Post Office Address: _____

Signature: _____ Date: _____, 1999.
Sixth Joint Inventor: _____
Citizenship: _____
Residence and Post Office Address: _____